

**SCOTTSDALE**

# **PLANNING COMMISSION MEETING**

## **MEETING NOTICE AND AGENDA**



### **PLANNING COMMISSION BOARD**

Michael D'Andrea, Chair  
Ed Grant, Vice-Chair  
Jay Petkunas

Matthew Cody  
Michael Edwards  
David Brantner  
Erik Filsinger

**Wednesday, March 14, 2012**

**5:00 P.M.**

**\*AMENDED MARKED AGENDA**

**CORRECTED VOTE ON ITEM 7**

### **PLANNING COMMISSION MEETING**

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Roll Call** – **All present**

### **Minutes**

1. Approval of February 22, 2012 Regular Meeting Minutes including Study Session.

**Item No. 1: Approved 7-0; Motion by Cody, 2<sup>nd</sup> by Petkunas**

## **ACTION ITEMS**

How the Action Agenda Works: The Planning Commission may take one vote on all items on the Continuance Agenda and one vote on all items on the Expedited Agenda, or may remove items for further discussion as appropriate. The Planning Commission takes separate action on each item on the Regular Agenda.

Persons interested in commenting on any item may complete a Comment Card for each item and submit it to Staff. Those wishing to speak are customarily given three minutes to speak on each item. Additional time may be granted to a designated speaker representing two or more persons (please submit cards together). **Comment cards must be submitted before public testimony has begun on any item.**

### **EXPEDITED AGENDA**

2. [1-UP-2012 \(Medical Marijuana / M M RX\)](#)

Request by applicant for a Conditional Use Permit for a Medical Marijuana Use in a 1,944 +/- square-foot space, located at 15455 N. Greenway-Hayden Loop suite #C-22, with Industrial Park District (I-1) zoning. Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is Jennifer Hall, 480-505-3937.**

**Item No. 2: Chair D'Andrea requested the case be moved to the regular agenda. Recommended City Council approve case 1-UP-2012, by a vote of 5-2; Motion by Filsinger, per the staff recommended stipulations, based upon the finding that the Conditional Use Permit Criteria have been met; 2<sup>nd</sup> by Cody; Edwards and Grant Dissenting**

3. [2-UP-2012 \(True Health Care Medical Marijuana\)](#)

Request by applicant for a Conditional Use Permit for a Medical Marijuana Use in a 10,800 +/- square-foot space located at 14666 N. 74th Street with Industrial Park District (I-1) zoning. Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is Lewis Patrick,**

**602-663-2600.**

**Item No. 3: Chair D'Andrea requested the case be moved to the regular agenda.**

**1<sup>st</sup> Motion Recommended City Council Approve case 2-UP-2012; Motion by Brantner; Motion died due to lack of 2<sup>nd</sup> motion.**

**Recommended City Council Deny case 2-UP-2012, by a vote of 5-2; Motion by Grant, based upon the finding that the Conditional Use Permit Criteria have not been met; 2<sup>nd</sup> by Filsinger; Brantner and Cody dissenting.**

4. [4-UP-2012 \(Giving Tree Wellness Center of Arizona, Inc.\)](#)

Request by applicant for a Conditional Use Permit for a Medical Marijuana Use in a 1,500 +/- square-foot space located at 7655 E. Evans Road with Industrial Park District (I-1) zoning. Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is Gina Berman, 602-380-5757.**

**Item No. 4: Chair D'Andrea requested the case be moved to the regular agenda. Recommended City Council approve case 4-UP-2012, by a vote of 4-3; Motion by Petkunas per the staff recommended stipulations, based upon the finding that the Conditional Use Permit Criteria have been met; 2<sup>nd</sup> by Brantner; D'Andrea, Edwards and Grant Dissenting.**

\*5. [5-UP-2012 \(Valley Wellness Center\)](#)

Request by applicant for a Conditional Use Permit for a Medical Marijuana Use in a 5,040 +/- square-foot space located at 7825 E. Redfield Road with Industrial Park District (I-1) zoning. Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is Adam Baugh, 602-540-3434.**

**Item No. 5: Chair D'Andrea requested the case be moved to the regular agenda. Recommended City Council approve case 5-UP-2012, by a vote of 4-3; Motion by Brantner per the staff recommended stipulations, based upon the finding that the Conditional Use Permit Criteria have been met; 2<sup>nd</sup> by Filsinger; D'Andrea, Edwards and Grant Dissenting.**

6. [8-UP-2009#2 \(Family Promise\)](#)

Request by applicant to amend a Conditional Use Permit for a community building, not publicly owned, to increase the area from 1670 +/- square-foot to 2720 +/- square-foot, located at 7221 E. Bellevue St. with Multiple-Family Residential District (R-5) zoning. Staff contact person is Dan Symer, AICP, 480-312-4218. **Applicant contact person is Georgi Stratton, 480-695-6565.**

**Item No. 6: Recommended City Council approve case 8-UP-2009#2, by a vote of 7-0; Motion by Brantner, per the staff recommended stipulations, based upon the finding that the Conditional Use Permit Criteria have been met; 2<sup>nd</sup> by Filsinger.**



## REGULAR AGENDA

\*7. [76-ZN-1985#6 \(Portales Residential\)](#)

Request to amend stipulations, site plan and amended development standards on a previously approved rezoning and Planned Block Development (PBD) Case 76-ZN-1985#3 and approve a Development Plan for a 369-Unit Multi-Family residential development on a 9.66 acre portion of an existing 40 +/- acre parcel located at 5000 Portales Place with Downtown District, Regional Commercial Office Type 2, Planned Block Development, Downtown Overlay (D/RCO-2, PBD DO) zoning, to include but not limited to a density increase. Staff contact person is Kim Chafin, AICP, 480-312-7734. **Applicant contact person is John Berry, 480-385-2727.**

**Item No. 7: Recommended City Council approve case 76-ZN-1985#6, by a vote of 6-0; Motion by Brantner, per the staff recommended stipulations as amended regarding traffic circulation, after finding that the Planned Block Development (PBD) Criteria have been met, and after determining that the proposed zoning map amendment is consistent and conforms with the adopted General Plan; 2<sup>nd</sup> by Cody; Commissioner Edwards recused.**

## NON-ACTION AGENDA

8. Flood Plain Ordinance Update

Presentation of the proposed update to Chapter 37 of Scottsdale Revised Code. **Staff contact person is Ashley Couch, 480-312-4317.**

**Item No. 8: Moved to 3/28/2012 Planning Commission Hearing**

9. Employment Districts (1-TA-2009 and 2-TA-2011)

Presentation on the proposed zoning ordinance update to the Planned Commerce Park (PCP) district, the proposed new section and district revisions regarding Master Plan Submittals, and the possible upcoming initiation of an update to the Commercial Office (C-O) district. **Staff contact person is Donald Hadder, 480-312-2352.**

**Item No. 9: Staff provided a brief presentation.**

**Adjournment – 8:43 p.m.**

